

REID COLLINS & TSAI LLP

Angela J. Somers
Jeffrey E. Gross
One Penn Plaza, 49th floor
New York, New York 10119
212.344.5200 (telephone)
212.344.5299 (facsimile)

Special Counsel for Trustee/Plaintiff

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

Chapter 7

In re:

Cases No. 10-11727 (REG)
10-15393 (REG)

PALI HOLDING, INC., and
PALI CAPITAL, INC.

Debtors.

-----X

YANN GERON, Chapter 7 Trustee of the Estates of
Pali Holdings, Inc. and Pali Capital, Inc.,

Adv. Proc. No. 13-01178 (REG)
13-01179 (REG)

Plaintiff,

- against -

RICHARD ABRAHAMS, RICHARD ANTHONY,
BRADLEY BERK, PETER BORISH, BERT R.
COHEN, JOHN FEDDERS, KEVIN FISHER,
GARY FREEDMAN, TIMOTHY PARROTT,
BRADLEY REIFLER, JOSEPH SCHENK, DAVID
WASITOWSKI, RONALD WEINSTEIN, and
REIFLER CAPITAL ADVISORS, INC.,

Defendants.

-----X

**NOTICE OF HEARING ON THE TRUSTEE'S MOTION FOR AN
ORDER PURSUANT TO BANKRUPTCY CODE 105(A) AND
BANKRUPTCY RULE 9019(A) APPROVING A SETTLEMENT
AGREEMENT AMONG THE TRUSTEE, THE UNDERWRITERS,
AND ALL DEFENDANTS; AND (II) AUTHORIZING PAYMENT OF
COUNSELS' CONTINGENCY FEES AND EXPENSES**

PLEASE TAKE NOTICE, that Yann Geron, chapter 7 trustee of the Debtors, has filed a motion (the **“Motion”**): (i) pursuant to Bankruptcy Code 105(a) and Bankruptcy Rule 9019(a), approving a Stipulation of Settlement (the **“Stipulation”**), among the Trustee, the Underwriters and all Defendants; and (ii) authorizing payment of Counsel’s Contingency fees and expenses; and

PLEASE TAKE FURTHER NOTICE that, in the Motion, the Trustee seeks an order approving a Settlement among the Trustee, all the Defendants, Brit Insurance Syndicate 2987, and Lexington Insurance Company (**“Underwriters”**) whereby (i) the Underwriters shall pay to the Trustee for the benefit of the estates, \$5,350,000 for settlement of the above-captioned adversary proceedings, of which \$565,000 will be paid to Defendants’ counsel for their covered fees, and (ii) two individual Defendants shall collectively pay to the Trustee for the benefit of the estate an additional \$375,000; and

PLEASE TAKE FURTHER NOTICE that, in the Motion, the Trustee seeks an order approving and awarding the payment of certain fees and disbursements to the Trustee’s counsel, Fox Rothschild LLP (**“Fox Rothschild”**) in the amount of \$77,113.75 in fees and expenses in the amount of \$31.64, and to the Trustee’s special counsel, Reid Collins & Tsai LLP (**“RCT”**), in the amount of \$1,608,644.77 in fees and \$14,944 in expenses; and

PLEASE TAKE FURTHER NOTICE that a hearing will be held on **October 16, 2013 at 9:45 a.m.** (the **“Hearing”**), before the Honorable Robert E. Gerber, United States Bankruptcy Judge, at the United States Bankruptcy Court for the Southern District of New York, Alexander Hamilton U.S. Custom House, New York, New York 10004, or as soon thereafter as counsel can be heard; and

PLEASE TAKE FURTHER NOTICE that the Motion has been filed electronically

with the Clerk of the United States Bankruptcy Court for the Southern District of New York and may be reviewed by all registered users of the Court's website at <http://www.nysb.uscourts.gov>. Copies of the Motion may also be obtained by sending an email to lbroussard@rctlegal.com or by calling (512) 647-6117 Attention: Lynn Broussard, Paralegal, Reid Collins & Tsai LLP; and

PLEASE TAKE FURTHER NOTICE that responses or objections, if any, to the Motion or the relief sought herein, must conform to the Bankruptcy Rules and the Local Rules, must set forth the name of the objecting party, the basis for the objection and the specific grounds therefore, and must be filed with the Bankruptcy Court, electronically in accordance with General Order M-399 (General Order M-399 and the User's Manual for the Electronic Filing System may be found at www.nysb.uscourts.gov, the official website for the Bankruptcy Court), by registered users of the Bankruptcy Court's case filing system, and by all other parties in interest, mailed to the Clerk of the United States Bankruptcy Court, One Bowling Green, New York, New York 10004-1408, on a disk, preferably in Portable Document Format (PDF), Microsoft Word, WordPerfect, or any other Windows-based word processing format (with a hard copy delivered directly to the Chambers of the Honorable Robert E. Gerber), and served in accordance with General Order M-3999 or other form upon: (i) Fox Rothschild LLP, 100 Park Avenue, Suite 1500, New York, New York 10017, Attn: Yann Geron; (ii) Reid Collins & Tsai LLP, One Penn Plaza, 49th Floor, New York 10119, Attn: Angela Somers; (iii) Rosenberg Feldman Smith, LLP, 551 Fifth Avenue, 24th Floor, New York, NY 10176, Attn: Richard Feldman; (iv) Shenwick & Associates, 655 Third Avenue, 20th Floor, New York, NY 10017, Attn: James Shenwick; (v) Morrison Cohen LLP, 909 Third Avenue, New York, NY 10022-4784, Attn: David Cohen; (vi) Law Office of Gregory L. Smith, 147 Prince Street, 2nd Floor, Brooklyn, NY 11201, Attn: Gregory Smith; (vii) Hoguet Newman Regal & Kenney, LLP, 10

East 40th Street, New York, NY 10016-0301, Attn: Damien Cavalieri, (viii) Moses & Singer
LLP, 405 Lexington Avenue, New York, NY 10174-1299, Attn: Mark N. Parry; (ix) Cooley
LLP, 1114 Avenue of the Americas, New York, NY 10036, Attn: Ronald Sussman; (x) Baker
Hostetler, 45 Rockefeller Plaza, New York, NY 10111-0100, Attn: Jorian Rose; and (xi)
the Office of the United States Trustee, 33 Whitehall Street, 21st Floor, New York, New York
10004; so as to be actually received no later than **seven days before the Hearing**.

Dated: New York, New York
September 19, 2013

REID COLLINS & TSAI LLP

By: /s/Angela J. Somers
Angela J. Somers, Esq.
Jeffrey E. Gross, Esq.
One Penn Plaza, 49th Floor
New York, NY 10119
Tel: 212-344-5200
Fax: 212-344-5299
Email: asomers@rctlegal.com

Special Counsel for Trustee/Plaintiff

FOX ROTHSCHILD LLP
Yann Geron, Esq.
Mitchell Burns, Esq.
Oksana Wright, Esq.
100 Park Avenue, 15th Floor
New York, NY 10117

Counsel to Yann Geron, Chapter 7 Trustee